

REMARKS

Claims 1-15 are pending in the application, claims 11-15 being new.

Objection to Figures

The Examiner maintains that Applicant's Figs. 1 and 2 should be labeled as Prior Art. Figs. 1 and 2 are amended herein to include the notation "(Prior Art)", and the specification is amended at page 5, to reflect that Figs. 1 and 2 show prior art technology. It is now respectfully requested that the objection be withdrawn.

Claims 1-10 over Flynn in view of Fineberg

Claims 1-10 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent Application Publication No. 2004/0229632 to Flynn et al. ("Flynn") in view of U.S. Patent Application Pub. No. 2003/0196105 to Fineberg ("Fineberg"). The Applicant respectfully traverses the rejection.

Claims 1-10 recite establishing a roaming interface between a wireless device and a visited location service (V-LCS) manager via an intermediary home Location Services (H-LCS) manager associated with the wireless device, whereby a message tunneling mechanism is formed to provide an uninterrupted communication path between a visited location service (V-LCS) manager and the wireless device being located.

The Examiner cites Flynn for allegedly teaching "all the steps/elements of independent claims 1 and 6" (Office Action at 3). However, the Examiner agrees that "Flynn does not explicitly teach (means for) directing IP connectivity over said roaming interface between said home LCS manager and said LCS manager through a firewall in said home wireless carrier network and through a firewall in said visited wireless carrier network." (Office Action at 4)

Claims 1-10 are amended herein to emphasize the concept of message tunneling. As explained at, e.g., page 7, lines 6-17 of the specification, "the concept of message tunneling for User Plane LCS service in roaming scenarios" is illustrated in Fig. 3, where user equipment (UE), e.g., a wireless

device, "sends a User Plane message, which should be sent to the V-Positioning Server, to the Home-LCS Manager instead. The Home-LCS Manager encapsulates the received message in a generic message and sends it to the V-LCS Manager."

Flynn clearly teaches in Fig. 1 a direct connection between a UE 2 and a VLS 10. Flynn clearly teaches AWAY from use of an HLS as an intermediary H-LCS manager, as explicitly required by claims 1-10. The use of the H-LCS as an intermediary is important to the present invention as it forms a message tunneling mechanism "to provide an uninterrupted communication path between a visited location service (V-LCS) manager and the wireless device being located" as explicitly recited by claims 1-10.

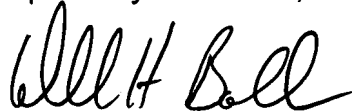
The Examiner cites Fineberg for allegedly teaching use of firewalls. Fineberg fails to disclose, teach or suggest use of an H-LCS as an intermediary H-LCS manager as claimed by claims 1-10.

For at least these reasons, claims 1-10 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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Attachment: Replacement Figs. 1 and 2

Amendments to the Drawings:

The attached sheets of drawings includes changes to Figs. 1 and 2. These sheets add the designation "(Prior Art)" to both Figs. 1 and 2, and replace the original sheets Figs. 1 and 2.